

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

DUANE TOLLIVER, et al.

PLAINTIFF

VS.

CASE NO. 05-3036

BAXTER COUNTY, ARKANSAS, et al.

DEFENDANTS

ORDER

Currently before the Court is separate defendant Greg Harris's **Motion in Limine to Exclude Plaintiffs' Evidence and Witnesses for Failure to Make Pretrial Disclosures (Doc. 64)** and plaintiffs' **Response (Doc. 68)**. The Court, being well and sufficiently advised, finds and orders as follows with respect thereto:

1. Defendant Harris moves to preclude plaintiffs from presenting any exhibits or witnesses at trial on the basis that plaintiffs failed to timely file their pretrial disclosures. The disclosures were due on or about February 13, 2006, but were not filed until February 23, 2006.

2. Plaintiffs respond that the untimely filing of their pretrial disclosures did not prejudice defendant, as the only witnesses plaintiffs intend to call are themselves and defendants, who have all been deposed. Further, the only exhibit plaintiffs intend to introduce is the search warrant and supporting affidavit at issue in this case.

3. Upon due consideration, defendant's **Motion in Limine (Doc. 64)** is DENIED. However, plaintiffs' counsel is cautioned that the Court expects strict compliance with all deadlines.

IT IS SO ORDERED this 27th day of February 2006.

/s/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE